

SENATE BILL 1127

By Herron

AN ACT to amend Tennessee Code Annotated, Section 39-17-406, Section 39-17-412 and Section 39-17-417, relative to controlled substances.

WHEREAS, the drug flunitrazepam, popularly known as rohypnol, is a substance that places a person in a comatose state in which he or she is incapable of coherent, conscious responses to the surrounding environment; and

WHEREAS, a person who ingests rohypnol is unable to recall events transpiring during such comatose state; and

WHEREAS, flunitrazepam is a colorless, odorless substance that can be easily administered to an unsuspecting person without his or her knowledge or consent; and

WHEREAS, many such unsuspecting persons have become victims of criminal activity, including rape, assault, theft and murder; and

WHEREAS, state and federal regulatory agencies have concluded that flunitrazepam contains many harmful side effects, has no value in the treatment of medical disorders and can not be prescribed by physicians; and

WHEREAS, flunitrazepam can be manufactured or imported in mass quantities at low cost; and

WHEREAS, because of its high potential for abuse and its lack of medical legitimacy, flunitrazepam meets the criteria for classification as a Schedule I controlled substance; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-406(e), is amended by deleting the word "or" at the end of subdivision (1); by deleting the period at the end of subdivision (2) and substituting instead the punctuation and the word "; or"; and by adding the following language as a new subdivision to be designated as follows:

(3) Flunitrazepam.

SECTION 2. Tennessee Code Annotated, Section 39-17-412(c), is amended by deleting subdivision (20).

SECTION 3. Tennessee Code Annotated, Section 39-17-417, is amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e) A violation of subsection (a) is a Class D felony and, in addition thereto, may be fined not more than fifty thousand dollars (\$50,000).

SECTION 4. This act shall take effect July 1, 2001, the public welfare requiring it.